

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 163.1(1), the Department of Agriculture and Land Stewardship hereby amends Chapter 64, “Infectious and Contagious Diseases,” and Chapter 65, “Animal and Livestock Importation,” Iowa Administrative Code.

The amendments allow the use of an alternate test for tuberculosis in cervids. The Cervid TB Stat-Pak test has recently been approved by the USDA Animal and Plant Health Inspection Service.

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin as **ARC 0642C** on March 6, 2013. These Adopted and Filed Emergency amendments are identical to those published under Notice of Intended Action.

Pursuant to Iowa Code section 17A.4(3), the Department finds that notice and public participation have begun and will be continued. However, delaying implementation until completion of the notice and public participation process would be contrary to the public interest.

Pursuant to Iowa Code section 17A.5(2)“b”(2), the Department further finds that the normal effective date of these amendments, 35 days after publication, should be waived and the amendments made effective March 1, 2013. Adoption of these amendments on an emergency basis confers a benefit to the public because the new test is more cost-effective and provides quicker results.

After analysis and review of this rule making, no adverse impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 163.1 and 163.14.

These amendments became effective on March 1, 2013.

The following amendments are adopted.

ITEM 1. Amend paragraph **64.34(10)“b,”** introductory paragraph, as follows:

b. Cervidae originating outside Iowa. Cervidae that originate outside Iowa must obtain an entry permit from the state veterinarian’s office prior to import into Iowa. Cervidae that originate outside Iowa which are six months of age or older must originate from a herd not under quarantine and have been tested negative for Tuberculosis (TB) by the Single Cervical Tuberculin (SCT) test (Cervidae) or by the Cervid TB Stat-Pak test within 90 days of exhibition, or originate from an Accredited Herd (Cervidae), or originate from a Qualified Herd (Cervidae), with test dates shown on the Certificate of Veterinary Inspection. Herd status and SCT test are according to USDA Tuberculosis Eradication in Cervidae Uniform Methods and Rules, effective January 22, 1999.

ITEM 2. Adopt the following **new** subrule 64.73(4):

64.73(4) The TB Stat-Pak test for cervids.

ITEM 3. Amend paragraph **65.9(3)“a”(1)“1”** as follows:

1. Originate from a herd not under quarantine and be tested negative for tuberculosis (TB) within 90 days of importation by the Single Cervical Tuberculin (SCT) test (Cervidae) or by the Cervid TB Stat-Pak test; or

[Filed Emergency 3/1/13, effective 3/1/13]

[Published 3/20/13]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 3/20/13.